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| 09/247,125      | 02/08/1999  | ANTONY S. WILLIAMS   |                     | 7260             |

7590 10/17/2003

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EXAMINER

CALDWELL, ANDREW T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2157

DATE MAILED: 10/17/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/247,125

Applicant(s)

WILLIAMS, ANTONY S.

Examiner

Andrew Caldwell

Art Unit

2157

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 September 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 27-49, 71-79 and 81-89.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: See Continuation Sheet

*Andrew Caldwell*  
Andrew Caldwell

Continuation of 2. NOTE: As to claim 71, it introduces the new preamble limitation that all steps of the method run on a single computer system. As to new claim 90, it would require further search and consideration because it is broader in scope than any claim previously presented in this application. .

Continuation of 5. does NOT place the application in condition for allowance because: As to claim 71, the Applicant argues that Khoyi fails to teach an API divided into an object independent client library and a server library. In response, it is noted that the claim limitation at issue requires the routines of the API, as opposed to the API itself, to be divided into an object independent library and a server independent library. In addition, the Examiner fails to see how the functions of the APPACK facility running on two different machines are not independent client and server libraries. Khoyi suggests incorporating the APPACK functions in a library (col. 14 lines 57-60). Khoyi also describes the APPACK as responsible for data interchange between objects (col. 24 lines 44-48). When the client and server are on different machines as per col. 22 lines 53-59, interprocess communication through messages occurs via the two APPACKs. As to claim 71, the Applicant argues that Khoyi fails to teach receiving by the server library the message sent by the client library to perform the requested manipulation on the object. It is noted that Khoyi teaches the server receiving the request at col. 34 lines 34-57, particularly steps b-e.

As to claim 81, it is noted that the Applicants refer to Figure 3 of the application as an example. Since the Applicant says the Figure 3 is merely an example, it is unclear why the claim 81 should be limited to only what is shown in the figure. As to the argument that Khoyi fails to teach a server library means for receiving messages to perform requested manipulations, this feature is addressed above with respect to claim 71.

Continuation of 10. Other: As to new claim 93, it is nearly identical in language to claim 84. It is unclear to the Examiner whether new claim 93 differs in scope from claim 84. .